

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
ORDINANCE NO. 227**

**AN ORDINANCE OF THE CITY OF LIBERTY LAKE, WASHINGTON REGULATING
THE USE OF GOLF CARTS (OR SIMILAR VEHICLES) ON PUBLIC PROPERTY
WITHIN THE CITY OF LIBERTY LAKE, AND REPEALING ORDINANCE NO. 186 IN
ITS ENTIRETY**

WHEREAS, the City Council of the City of Liberty Lake desires to regulate the use of Golf Carts to enhance the health safety, and welfare of its citizens; and

WHEREAS, through RCW 46.08.020 the Washington State Legislature has authorized the City of Liberty Lake to enact traffic regulations within the City of Liberty Lake; and

WHEREAS, through SSB 6207, the Washington State Legislature has authorized the City of Liberty Lake to create Golf Cart zones by ordinance or resolution for the purpose of permitting incidental use of Golf Carts on public roads; and

WHEREAS, the City Council of the City of Liberty Lake finds that providing minimum use and operational requirements for Golf Carts, to include but not limited to, age limits, lighting and other safety equipment will likely protect the persons and property from injury and annoyance and promote the safe use of such vehicles and property under the jurisdiction of the City of Liberty Lake; and

WHEREAS, the City of Liberty Lake previously enacted Ordinance No. 186 concerning the Operation of Golf Carts; and

WHEREAS, Golf Carts, unlike more traditional motor vehicles, have identification numbering which is easily removed, such that establishing a Golf Cart registration permitting program would promote return of such property to rightful owners in the event of loss or theft and subsequent recovery.

NOW, THEREFORE, the City Council of the City of Liberty Lake, do ordain as follows:

Section 1. Repealer. Ordinance No. 186 is repealed in its entirety and shall have no further force or effect.

Section 2. The City of Liberty Lake Municipal Code Chapter 4, Title 7, entitled "Operation of Golf Carts" shall now and hereafter read as follows:

Section 7-4-1 Definitions. The following definitions shall be used in this Ordinance. Where a word or term is undefined reference shall be to RCW title 46.

- A. "Golf Cart" is defined as a gas-powered or electric-powered four-wheeled vehicle originally designed and manufactured for operation on a golf course for sporting purposes and has a speed attainable in one mile of not more than twenty miles (20) per hour. A Golf Cart is not a non-highway vehicle or off-road vehicle as defined in RCW 46.09.020. A golf cart is not considered a motor vehicle, except for the purposes of chapter 46.61 RCW.
- B. "Street" means the entire right of way width and between the curb and boundary lines and shoulder or swale of public property when any part thereof is open to the use of the public for purposes of pedestrian, bicycle, or vehicular travel including parking.
- C. "Golf Cart Zone" means any public roadway within the City of Liberty Lake having a speed limit of twenty-five (25) miles per hour or less.
- D. "Golf Cart Registration Permit" means a privilege granted, upon compliance with the terms of this chapter, to legally operate a Golf Cart upon a public street or roadway within the corporate boundaries of the City of Liberty Lake during the two (2) year period that the permit is valid.
- E. "Golf Cart Registration Permit Fee" means an administrative charge imposed as specified in this chapter for the granting of a Golf Cart Registration Permit and the issuance of a Golf Cart Registration Permit decal.
- F. "Owner" means the person holding title to the Golf Cart and the person required to register the Golf Cart with the City of Liberty Lake.

Section 7-4-2 Requirements and Restrictions. The following use, operational requirements and restrictions are adopted by the City of Liberty Lake for Golf Carts:

- A. Every person operating a Golf Cart as authorized under this section is granted all rights and is subject to all duties applicable to the driver of a vehicle under RCW 46.61.
- B. A Golf Cart may be operated on a Street, including a public right of way, by a person as follows:
 - (1) Every person operating a Golf Cart as authorized under this section must be at least sixteen (16) years of age and have a valid driver's license.
 - (2) A person who has a revoked or suspended driver's license under RCW 46.20.285 may not operate a Golf Cart as authorized under this section.

- (3) Any person operating a Golf Cart, as authorized under this section, shall not transport more passengers than the manufacturer's designed seating capacity. All occupants shall be seated during operation and the use of seat belts shall be mandatory while the Golf Cart is being operated.
 - (4) No Golf Cart may be operated at a speed greater than reasonable and prudent for the existing conditions, and in no instance at a speed greater than twenty (20) miles per hour.
 - (5) Golf Carts must be operated to the extreme right of the roadway and must yield to all vehicular, bicycle, and pedestrian traffic.
 - (6) The authorized driver of a Golf Cart operating the cart on a Street can cross an excluded Street but otherwise may not operate a Golf Cart on any excluded Street.
 - (7) Golf Carts are prohibited from pulling trailers, boats, jet skis, other objects or people on Streets.
 - (8) Drivers shall maintain and have proof of insurance coverage for the Golf Cart at the time of permit issuance.
 - (9) Golf Carts must be operated in accordance with all applicable state and local laws and ordinances, including all laws, regulations and ordinances pertaining to the possession and use of drugs and alcoholic beverages.
- C. Golf Carts shall not be operated on a Street during one half hour after sunset to one half hour before sunrise unless in compliance with RCW 46.37 regarding vehicle lighting and other equipment, including equipping the Golf Cart with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type approved by the Washington State Patrol which shall be visible from all distances up to six hundred (600) feet to the rear when directly in front of lawful low beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector. A light emitting diode flashing taillight visible from a distance of five hundred feet (500) to the rear may also be used in addition to the red reflector.
- D. Golf Carts shall not be operated in a negligent manner. For the purpose of this subsection, "to operate in a negligent manner" is defined as the operation of a Golf Cart in such a manner as to endanger any person or property, or to obstruct, hinder, or impede the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.

- E. Golf Carts must be equipped with reflectors, seat belts, and rearview mirrors when operated upon Streets and highways as authorized under this section.
- F. Golf Carts are exempt from motor vehicle licensing requirements, and child restraint system use.

Section 7-4-3 Registration Process and Fee Prior to Usage. The following registration process and fee(s) are adopted by the City of Liberty Lake for Golf Carts.

All Golf Cart owners must complete a Golf Cart registration application and submit the application to the City of Liberty Lake Police Department for approval before driving on a Street. The owner of the Golf Cart must also have a valid issued registration. The cost of the initial registration is zero. The inspection and registration will be issued for the entire time that the person owns the Golf Cart. The registration sticker must be displayed on the driver's side front quarter panel, and the left rear of the cart to be easily visible by the public and law enforcement personnel.

- A. Each Golf Cart owner must have proof of ownership, insurance coverage, and a completed Waiver of Liability, releasing the City of Liberty Lake from liability that may arise as a result of operation of a Golf Cart inside the City of Liberty Lake.
- B. All Golf Carts must meet the requirements or minimum standards of safety equipment as set forth in this Ordinance.
- C. All Golf Cart operators must present a valid driver's license while operating a Golf Cart in the Street.
- D. The Golf Cart owner/operator will be required to sign an acknowledgment that they were provided an informational sheet that lists the rules and regulations for operating a Golf Cart within the City of Liberty Lake.
- E. The registration sticker shall be valid for as long as the Golf Cart is owned by the applicant and operated in the City of Liberty Lake. The registration sticker must be visible on a Golf Cart at all times while operated on or in the Street.
- F. Lost or stolen registration stickers are the responsibility of the owner and must be replaced before the Golf Cart is operated in the Street.
- G. The registration permit may be revoked if the owner or driver of a Golf Cart fails to abide by the rules and regulations of this Ordinance; the owner or driver of a Golf Cart fails to abide by the traffic laws; the owner fails to maintain proof of insurance coverage during the entire permit registration period.

- H. The registration permit is not transferable. Upon transfer of ownership of the Golf Cart to a person who intends to operate it over authorized Streets and parking areas, the new owner must register the Golf Cart with the City of Liberty Lake.

Section 7-4-4 Penalty for Noncompliance. Upon a determination that a violation of this Ordinance has occurred, law enforcement officers may pursuant to RCW Chapter 7.80 issue a Class 1 civil infraction with a fine not to exceed two hundred fifty dollars (\$250.00) to any included person found in violation of this Ordinance. If an underage operator is found to be using or operating a Golf Cart in violation of this Ordinance, such matter and infraction will be referred to Spokane County Juvenile Court.

Authorized City of Liberty Lake vehicles are exempt from this Ordinance.

Section 6. Severability. If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 7. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication of this Ordinance or a summary thereof in the official newspaper of the City of Liberty Lake as provided by law.

Passed by the City Council this 19th day of April, 2016



Mayor Steve Peterson

ATTEST:



Ann Swenson, City Clerk

APPROVED AS TO FORM:



Sean P. Boutz, City Attorney

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CERTIFICATION

I, Ann Swenson, the undersigned City Clerk of the City of Liberty Lake, of Spokane County, Washington, HEREBY CERTIFY that the foregoing Ordinance is a full, true, and correct copy of Ordinance No. 227 duly adopted at a regular meeting of the City Council of said City, duly and regularly held at a the regular meeting place thereof on April 19, 2016 of which meeting all members of said City Council had due notice and at which a majority thereof were present; and that at said meeting said Ordinance was adopted by the following vote: unanimous, 5-0.


AYES, and in favor thereof: Council Members Langford, Dunne, Moore, Kaminskis, and Severs.

NAYS: None.

ABSENT: Mayor Pro Tem Brickner and Council Member Kopelson.

ABSTAINED: None.

CITY OF LIBERTY LAKE



CITY CLERK